

3/22/19

2:42 P.M.

Chapter No. 388

19/SS02/R536

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SENATE BILL NO. 2470

Originated in Senate

Liz Welch

Secretary

SENATE BILL NO. 2470

AN ACT TO AMEND SECTION 97-21-33, MISSISSIPPI CODE OF 1972, TO REVISE THE PENALTIES FOR CERTAIN FORGERIES; TO AMEND SECTION 97-21-13, MISSISSIPPI CODE OF 1972, TO APPLY THE PROHIBITION AGAINST COUNTERFEITING TO PAPER CURRENCY AS WELL AS TO GOLD AND SILVER COINS; TO AMEND SECTION 97-21-15, MISSISSIPPI CODE OF 1972, TO APPLY THE PROHIBITION AGAINST COUNTERFEITING FOREIGN MONEY TO PAPER CURRENCY AS WELL AS TO GOLD AND SILVER COINS; TO AMEND SECTION 97-21-17, MISSISSIPPI CODE OF 1972, TO APPLY THE PROHIBITION AGAINST THE POSSESSION OF COUNTERFEITED MONEY TO PAPER CURRENCY AS WELL AS TO GOLD AND SILVER COINS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 97-21-33, Mississippi Code of 1972, is amended as follows:

97-21-33. (1) * * * Except as provided in subsection (2) of this section for offenses under Sections 97-21-13, 97-21-15, 97-21-17 and 97-21-23, a person convicted of forgery shall be punished as follows:

(a) When the amount of value involved is under One Thousand Dollars (\$1,000.00) * * *, by imprisonment in the county jail for a term of not more than six (6) months, or by a fine of

not more than One Thousand Dollars (\$1,000.00), or both, if the court finds substantial and compelling reasons why the offender cannot be safely and effectively supervised in the community, is not amenable to community-based treatment, or poses a significant risk to public safety. If such a finding is not made, the court shall suspend the sentence of imprisonment and impose a period of probation not exceeding one (1) year or a fine of not more than One Thousand Dollars (\$1,000.00), or both. * * * A person convicted of a third or subsequent offense under this * * * paragraph (a), where the value of the property is not less than Five Hundred Dollars (\$500.00), shall be punished by imprisonment in the Penitentiary for a term not exceeding three (3) years or by a fine not exceeding One Thousand Dollars (\$1,000.00), or both.

(* * * b) * * * When the amount of value involved is One Thousand Dollars (\$1,000.00) or more but less than Five Thousand Dollars (\$5,000.00) * * * , by imprisonment in the Penitentiary for a term not more than five (5) years, or a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(* * * c) * * * When the amount of value involved is Five Thousand Dollars (\$5,000.00) or more, but less than Twenty-five Thousand Dollars (\$25,000.00) * * * , by imprisonment in the Penitentiary for a term not exceeding ten (10) years, or * * * a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(* * *d) * * * When the amount of value involved is Twenty-five Thousand Dollars (\$25,000.00) or more, * * * by imprisonment in the Penitentiary for a term not exceeding twenty (20) years, or be fined not more than Ten Thousand Dollars (\$10,000.00), or both. * * *

(2) A person convicted of forgery under any of the following: Section 97-21-13, relating to counterfeiting of currency or treasury notes of the United States; Section 97-21-15, relating to the counterfeiting of currency of a foreign government; Section 97-21-17, relating to possession of counterfeited currency; or Section 97-21-23, relating to engraving or possessing a plate to counterfeit certain notes, bills, drafts, checks and other evidence of debt, shall be guilty of a felony and shall be punished as follows:

(a) When the amount of value involved is less than Five Thousand Dollars (\$5,000.00), by imprisonment in the custody of the Department of Corrections for a term of not more than five (5) years, or a fine of not more than Ten Thousand Dollars (\$10,000.00), or both;

(b) When the amount of value involved is Five Thousand Dollars (\$5,000.00) or more, but less than Twenty-five Thousand Dollars (\$25,000.00), by imprisonment in the custody of the Department of Corrections for a term not exceeding ten (10) years, or a fine of not more than Ten Thousand Dollars (\$10,000.00), or both;

(c) When the amount of value involved is Twenty-five Thousand Dollars (\$25,000.00) or more, by imprisonment for a term not exceeding twenty (20) years, or a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(3) The total value of the forgery by the person from a single victim shall be aggregated in determining the gravity of the offense.

SECTION 2. Section 97-21-13, Mississippi Code of 1972, is amended as follows:

97-21-13. Every person who shall be convicted of having counterfeited any * * * currency which shall be at the time current, by custom or usage, within this state, or the treasury notes of the United States, shall be guilty of forgery.

SECTION 3. Section 97-21-15, Mississippi Code of 1972, is amended as follows:

97-21-15. Every person who shall be convicted of having counterfeited * * * currency of any foreign government or country, with the intent of exporting the same to injure or defraud any foreign government or the subjects or citizens thereof, shall be guilty of forgery.

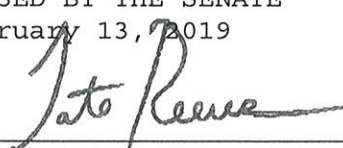
SECTION 4. Section 97-21-17, Mississippi Code of 1972, is amended as follows:

97-21-17. Every person who shall have in his possession any counterfeit of any * * * currency, which shall be at the time current in this state, knowing the same to be counterfeited, with

intention to defraud or injure, by uttering the same, as true or false, or by causing the same to be so uttered, shall be guilty of forgery.


SECTION 5. This act shall take effect and be in force from and after July 1, 2019.

PASSED BY THE SENATE
February 13, 2019



PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 13, 2019



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

3/22/2019

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